

REMARKS

1. Applicant thanks the Examiner for communicating allowance of Claims 45 and 46 and for pointing out the allowable subject matter of Claims 8, 14-16, 22, 23, 25-30, 32, 34, 39, and 41-44.

2. It should be appreciated that Applicant has elected to amend Claims 1 and 31 and cancel Claim 32 solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such amendments, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

3. Claims 1-6 and 10 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,047,032 ("Judge"). To distinguish the Claim invention from the cited reference more thoroughly, Applicant amends Claim 1 to describe a step of "providing an optically rough ceramic element having an incident surface and an internal scattering body." Support for the amendment is found in Claims 32 and 46 and further in the specification, at least at paragraph 31, line 1 to line 2. In stark contrast, Judge teaches provision of an optically flat ceramic element. Col. 4, line 50 to line 51 and Col. 5, line 47

and 57. There is, therefore, no teaching in Judge of providing an optically rough ceramic element, and thus no anticipation of amended Claim 1. Accordingly, Applicant deems the rejection of Claim 1 under 35 U.S.C. 102(b) and all Claims depending therefrom to be overcome.

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4. Claims 7, 9 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Judge in view of U.S. Patent No. 6,236,047 ("Malin"). In view of the above amendment to Claim 1, the current rejection is rendered moot.

10 5. Claims 12-13 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Judge in view of U.S. Patent No. 5,612,782 ("Keranen"). In view of the above amendment to Claim 1, the current rejection is rendered moot.

15 6. Claims 13 and 18-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Judge in view of U.S. Patent No. 5,263,042 ("Kojima"). In view of the above amendment to Claim 1, the current rejection is rendered moot.

20 7. Claims 20-21 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Judge in view of Kojima and further in view of Keranen. In view of the above amendment to Claim 1, the current rejection is rendered moot.

8. Claims 31, 33 and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Judge in view of Keranen. Applicant amends Claim 31 to incorporate the subject matter of Claim 32, found to be allowable. Claim 32 is cancelled from the

Application. Accordingly, the rejection of Claim 31 under 35 U.S.C. § 103(a) and all Claims depending therefrom is deemed to be overcome.

9. Claims 31 and 36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Judge in view of Kojima. The above amendment to Claim 31 renders Claim 31 and all Claims depending therefrom patentably distinct from the combination of Judge and Kojima.

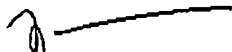
10. Claims 37-38 and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Judge in view of Kojima and further in view of Keranen. The above amendment to Claim 31 renders the current rejection moot.

CONCLUSION

15 In view of the above, the Application is deemed to be in allowable condition. Applicant therefore earnestly requests the Examiner to withdraw all rejections, permitting the Application to pass to issue as a United States Patent. Should the Examiner have any questions concerning the Application, she is urged to contact Applicant's attorney at (650)474-8400.

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Respectfully submitted,



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